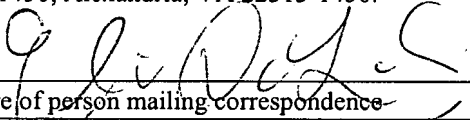


PATENT
ATTORNEY DOCKET NO. 50026/058001

Certificate of Mailing	
Date of Deposit: <u>April 30, 2007</u>	Label Number: <u>EV919880884US</u>
I hereby certify under 37 C.F.R. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Elvis De La Cruz</u> Printed name of person mailing correspondence	 Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Shinji Okano et al.	Confirmation No.:	5137
Serial No.:	10/578,085	Art Unit:	Not yet assigned
Filed:	May 3, 2006	Examiner:	Not yet assigned
Customer No.:	21559		
Title:	METHOD FOR PRODUCING GENE TRANSFERRED DENDRITIC CELLS		

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-145

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

In reply to the Notification of Missing Requirements that was mailed in connection with the above-captioned application on March 12, 2007, a copy of which is enclosed¹,

Applicants, as a large entity, submit the following:

A Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.497(a) and (b), identifying the application by the international application number and international filing date.

05/02/2007 G-FREY1 00000066 10578085
01.FC:1617 130.00 OP

¹ A copy of the Cover Letter for Resending Correspondence mailed on April 5, 2007 is also enclosed. The Notification of Missing Requirements was originally mailed to the incorrect address.

A surcharge under 37 C.F.R. § 1.492(h) of \$130.00, because the declaration is being submitted after 30 months from the priority date.

Applicants note that the Notification of Missing Requirements also states that a translation of the application into English and the processing fee for this translation are required. Applicants, for the reasons set forth below, submit that this requirement is in error.

The application, as filed on May 3, 2006, included an English language translation of international application number PCT/JP2004/016089. Enclosed, as Exhibit 1, is a copy of the return postcard included with the May 3, 2006 filing and listing the English language translation. The return postcard bears the U.S.P.T.O. stamp indicating receipt of the items listed on the postcard by the U.S.P.T.O. on May 3, 2006. In accordance with the M.P.E.P. § 503, the postcard clearly identifies and itemizes the items for which a receipt was requested. As such, Applicants submit that this postcard receipt provides *prima facie* evidence that an English language translation was filed with the U.S.P.T.O. on May 3, 2006.

Moreover, Applicants submit, as Exhibit 2, a printout image of the Image File Wrapper (IFW) summary for the present application from the U.S. Patent Application Information (PAIR) website. The IFW includes the items listed on the return postcard and indicates that these items were received by the U.S.P.T.O. on May 3, 2006.

Enclosed, as Exhibit 3, is a copy of the English language translation as printed from the IFW which has been date stamped May 3, 2006 by the U.S.P.T.O. and sets forth the serial

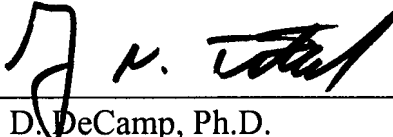
number for the present application.

For all the above reasons, Applicants submit that the English language translation of the present application was filed with the application on May 3, 2006. Also, as the May 3, 2006 filing date of the English language translation was within 30 months of the priority date, Applicants submit that no additional processing fee for the filing of the translation is due.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 30 April 2007


James D. DeCamp, Ph.D.
Reg. No. 43,580

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101 Federal Street
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JAN N. TITTEL, Ph.D.
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY: DOCKET NO./TITLE
10/578,085	05/03/2006	Shinji Okano	50026/058001

21559
 CLARK & ELBING LLP
 101 FEDERAL STREET
 BOSTON, MA 02110

CONFIRMATION NO. 5137

RESEND
 COVER
 LETTER

Date Mailed: 04/05/2007

COVER LETTER FOR RESENDING CORRESPONDENCE

A courtesy copy of the Notice mailed on 03/12/2007 is enclosed. The time period for reply continues to run from the mail date of that Notice.

ACTION DUE Reply
 DUE DATE 5.12.07 - 9.12.07 final
 INITIALS wh

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED MAR 14 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,085	Shinji Okano	50026/058001

INTERNATIONAL APPLICATION NO.

PCT/JP04/16089

39905
 ROETZEL AND ADDRESS
 222 SOUTH MAIN STREET
 AKRON, OH 44308

I.A. FILING DATE	PRIORITY DATE
10/29/2004	11/04/2003

CONFIRMATION NO. 5137

371 FORMALITIES LETTER



OC000000022816390

Date Mailed: 03/12/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/03/2006
- Copy of the International Search Report filed on 05/03/2006
- Copy of IPE Report filed on 05/03/2006
- Preliminary Amendments filed on 05/03/2006
- Biochemical Sequence Diskette filed on 05/03/2006
- Oath or Declaration filed on 05/03/2006
- Biochemical Sequence Listing filed on 05/03/2006
- U.S. Basic National Fees filed on 05/03/2006
- Priority Documents filed on 05/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$-150** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

(A previous payment of **\$410** will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.135(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,085	PCT/JP04/16089	50026/058001